IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 22396 of 2004**

Between:

Mallina Venkata Rao, S/o.Subba Rao,
R/o.Nutiramannapalem Village, Buttaigudem Mandal, W.G.District.

**..... PETITIONER**

AND

1 The Sub-Divisional police officer, Jangareddigudem, W.G.District.
2 The Revenue Divisional officer, Jangareddygudem, W.G.District.
3 The Station House officer / Sub-Inspector of police, Buttaigudem P.S.,

Buttaigudem, W.G.District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or direction writ more particularly writ of Mandamus declaring the action of the respondents in not taking any action to arrest the accused in Crime No.50/2004 on the file of Buttaigudem P.S. as being illegal arbitrary and violative of Articles 14 and 300-A of the Constitution of India and consequently direct the respondents to arrest the accused in Crime No.50 of 2004 on the file of Buttaigudem P.S.and to pass such further order or orders.

**Counsel for the Petitioner:MR.P.R.K.AMARENDRA KUMAR**

**Counsel for the Respondents: GP FOR HOME**

**The Court at the stage of admission made the following ORDER:**

Petitioner claims to be the owner of an agricultural land in Koya Rajahmundry village, Buttaigudem mandal, West Godavari district. He alleges that certain persons claiming to be the tribals are interfering with his possession over the land and are preventing him from harvesting the crop. He claims to have submitted a complaint and a representation to the respondents and alleges that no action has been taken thereon except registering a crime No.50 of 2004.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

Even according to the petitioner, Crime No.50 of 2004 was registered by the third respondent, on the complaint submitted by him. However, mere registration of crime will be of no use, unless the petitioner is accorded necessary protection enabling him to harvest the crop. If there are any disputes as to the title or possession, the parties concerned can require to resolve the same before the Court. No individual can be permitted to take the law into his hands or to prevent others from harvesting the crop.

Hence, the writ petition is disposed of directing the respondents, in particular the third respondent, to accord necessary protection to the petitioner to harvest the crop said to have been raised by him over the land in question. No order as to costs.

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07.12.2004

Note:

Issue CC by 08.12.2004

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To

1 The Sub-Divisional police officer, Jangareddigudem, W.G.District.
2 The Revenue Divisional officer, Jangareddygudem, W.G.District.
3 The Station House officer / Sub-Inspector of police, Buttaigudem P.S.,

Buttaigudem, W.G.District.

4 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

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5 Two CD copies.